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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,153	08/20/2003	Takehiro Fukuwaki	NECE 20.585	6502
26304	7590	07/12/2006	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			KIM, RICHARD H	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2871	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

OK

Office Action Summary	Application No. 10/644,153	Applicant(s) FUKUWAKI, TAKEHIRO	
	Examiner Richard H. Kim	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/21/06, 6/14/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2, 5-7, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsieh et al. (US 6,879,308 B2).

Referring to claim 1, Hsieh et al. discloses a device comprising a display unit for display images and a case having a rigid hollow rectangular (111) cross-section in which the display unit (col. 3, lines 25-27) is installed, the case being formed with an opening (111) through which the display device is slid into and out of the hollow rectangular cross-section of the case (col. 3, lines 50-51); wherein the case includes a cover (23) for covering the opening therewith, the cover being formed as part of the case, and wherein the case is bendable between a first position in which the cover does not close the opening and a second position in which the cover closes the opening (20). As to the recitation that the cover is “bendable”, it has been held that the recitation

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that an element is “capable of” performing a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchinson*, 69 USPQ. 138. When the cover is detached from the frame, the cover is in the first position. When the cover is attached to the frame, the cover is in the second position. In order for the cover to be attached to the frame, the binding units would be required to “bend” in order to engage the frame.

Referring to claim 2, Hsieh et al. discloses the device wherein the case is formed with a guide (14) for supporting the display unit therewith (col. 3, lines 50-55).

Referring to claim 5, Hsieh et al. discloses a device comprising a base plate (12) on which the display unit is fixed.

Referring to claim 7, Hsieh et al. discloses a device comprising a liquid crystal display unit for displaying images (col. 3, line 26), and a case having a rigid hollow rectangular cross-section (12) in which the liquid crystal display unit is installed, the case being formed with an opening through which the liquid crystal is slid into and out of the hollow rectangular cross-section of the case (col. 3, lines 50-51); wherein the liquid crystal display unit is comprised of a backlight unit (supplying backlight to the liquid crystal display panels, a light guide and a light reflection both constituting the backlight unit (col. 3, lines 54-60), and wherein the opening is closed by bending a part of the case from an open position to a closed position. When the cover is detached from the frame, the cover is in the first position. When the cover is attached to the frame, the cover is in the second position. In order for the cover to be attached to the frame, the binding units would be required to “bend” in order to engage the frame.

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Referring to claim 6, Hsieh et al. discloses a display device wherein the display is comprised of an electroluminescence display device (col. 2, lines 58-59).

Referring to claims 9 and 10, Hsieh et al. discloses a display device wherein the liquid crystal –panel is further comprised of a base plate (11) on which the liquid crystal display panel is supported, the base plate is formed centrally with a window (11) through which a display area of the liquid crystal panel is exposed; and the base plate is formed with ribs (13) for supporting the liquid crystal display panel, wherein the base plate acts as a guide for the liquid crystal display unit to be slid into and out of the case (col. 3, lines 50-51).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh et al. in view of admitted prior art (AAPA).

Hsieh et al. discloses the device previously recited. Hsieh et al. further discloses a liquid crystal display panel (col. 2, line 59) and a base plate (11) for supporting the liquid crystal

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display panel. However, the reference does not disclose a first substrate supplying a desired voltage to the liquid crystal display panel; a second substrate supplying a signal voltage to the first substrate; a third substrate acting as an interface; and a fourth substrate supplying a desired voltage to the backlight unit.

AAPA discloses a first substrate (400) supplying a desired voltage to the liquid crystal display panel; a second substrate (600) supplying a signal voltage to the first substrate; a third substrate (26) acting as an interface; and a fourth substrate (700) supplying a desired voltage to the backlight unit.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a first substrate supplying a desired voltage to the liquid crystal display panel; a second substrate supplying a signal voltage to the first substrate; a backlight unit supplying backlight to the liquid crystal display panel; a third substrate acting as an interface; and a fourth substrate supplying a desired voltage to the backlight unit since one would be motivated to provide the proper structure needed in order to supply signals to drive and illuminate the liquid crystal display.

5. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh et al.

Hsieh et al. discloses the device previously recited, but fails to explicitly disclose that the opening is closed by a cover composed of the same material as that of the case. However, Hsieh et al. discloses that all the frames in the invention are made of plastic or metals (col. 4, lines 10-11).

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It would have been obvious to one having ordinary skill in the art for the cover to be composed as the same material as the case since doing so would simplify the fabrication process by minimizing the amount of separate materials used in the fabrication process.

Response to Arguments

6. Applicant's arguments filed 4/19/06 have been fully considered but they are not persuasive.

7. In response to Applicant's argument that Hsieh et al. do not disclose any bending of the stopping frame (20) for any purpose, Examiner submits that in order for the binding units to clasp with the frame, the stopping frame would have to bend to do so. According to Figure 2, the portion of the binding unit attached to the frame (10) is the male unit, whereas the portion of the binding unit attached to the stopping frame (20) is the female units. Therefore, since the stopping frame is slid into the frame, the male units of the frame would force the stopping frame to bend upwards before the female and male units engage each other.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H. Kim whose telephone number is (571)272-2294. The examiner can normally be reached on 9:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

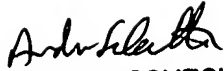
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Richard H Kim
Examiner
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RHK

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ANDREW SCHECHTER
PRIMARY EXAMINER